



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Laurence Michael Byrne
Appl. No. : 10/009,947
Filed : May 7, 2002
For : MATERIALS HANDLING SYSTEM
Examiner : Raymond B. Johnson
Art Unit : 3652

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 2, 2004

(Date)

James W. Ausley, Reg. No. 49,076

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

AUG 09 2004

GROUP 3600

Dear Sir:

In response to the Restriction Requirement mailed June 2, 2004, the Applicant hereby elects Claim Group II and III, i.e. Claims 4-11 and 12-19, respectively, which the Examiner indicated in the Office Action to be retained as a single inventive concept. The Applicant makes this election without traverse and respectfully requests prompt examination on the merits of the elected claims.

By this paper, the Applicant hereby withdraws Claim Group I, i.e. Claims 1-3, however reserves the right to pursue the restricted subject matter in subsequent divisional application(s).

A complete listing of claims and their status begins on page 2 of this paper.



AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Laurence Michael Byrne
 Appl. No. : 10/009,947
 Filed : May 7, 2002
 For : MATERIALS HANDLING SYSTEM
 Examiner : Raymond B. Johnson
 Art Unit : 3652

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 2, 2004

(Date)

James W. Ausley
 James W. Ausley, Reg. No. 49,076

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Response to Restriction Requirement in five (5) pages.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

The fee has been calculated as shown below:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Total Claims	19 - 20 = 0	2202 (\$9)	0 x 9 =	\$0
Independent Claims	3 - 3 = 0	2201 (\$43)	0 x 43 =	\$0
1 Month Extension		2251 (\$55)		\$55
			TOTAL FEE DUE	\$55

- (X) An extension of time is hereby requested by payment of the appropriate fee indicated above.
- (X) A check in the amount of \$55 is enclosed.
- (X) Return prepaid postcard.

08/06/2004 WASFAW1 00000012 10009947

01 FC:2251

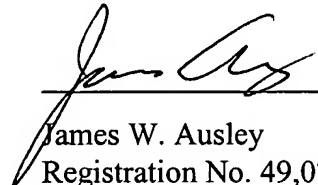
55.00 0P

RECEIVED

AUG 09 2004

GROUP 3600

- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



James W. Ausley
Registration No. 49,076
Agent of Record
Customer No. 20,995
(909) 781-9231